

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58629 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Ajay Yadav S/o Hareram Yadav R/o vill - Bangra, P.S. - Raghunathpur, Distt.
- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Raghunathpur P.S. Case No. 130 of 2024 dated 21.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 341 litres of illicit country made *mahua* liquor was recovered from the Orchard.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by local Chowkidar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from an open



place which is accessible to anyone. Learned counsel has further submitted that the said Orchard belonged to one Gopi Debey. The petitioner has six criminal antecedents in which he is on bail in five cases as stated in para 3 of the bail petition. The petitioner is in custody since 02.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Raghunathpur P.S. Case No. 130 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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